

GOVERNMENT OF TELANGANA

ABSTRACT

Public Servants – Panchayat Raj & Rural Development Department – Allegation of irregularities of NREGS funds in execution of check dams in Kosgi Mandal of Kodangal Assembly constituency of Mahabubnagar District – Disciplinary Proceedings against Sri Md. Khaleel, Assistant Engineer (PR), MPP Kosgi of Mahabubnagar District, now retired, under Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 (Telangana Adaptation) Order, 2016 – Article of charge – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.Rt.No.958,

Dated:25 .11.2016.

Read:

G.O.Ms.No.137, PR&RD (Vig.II) Department, Dated.25.11.2016.

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ORDER:

In pursuance of the sanction accorded by the Government under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of the Telangana Revised Pension Rules, 1980, for instituting departmental proceedings against Sri Md. Khaleel, Assistant Engineer (PR), MPP Kosgi of Mahabubnagar District, now retired, vide G.O.Ms.No.137, Panchayat Raj & Rural Development (Vig.II) Department, Dated.25.11.2016, it is proposed to hold an enquiry against Sri Md. Khaleel, Assistant Engineer (PR), MPP Kosgi of Mahabubnagar District, now retired, in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (CC & A) Rules, 1991 (Telangana Adaptation) Order 2016.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of articles of charges and imputation of misconduct in support of article of charge as Annexure-I. A list of documents by which and a list of witnesses by whom the articles of charges are proposed to be sustained are also enclosed (Annexure-II, and III).

3. Sri Md. Khaleel, Assistant Engineer (PR), MPP Kosgi of Mahabubnagar District, now retired, is directed to submit within ten (10) days of the receipt of this order, a written statement of his defence.

4. Sri Md. Khaleel, Assistant Engineer (PR), MPP Kosgi of Mahabubnagar District, now retired, is informed that an enquiry will be held only in respect of those articles of charges as are not admitted. He should, therefore, specifically admit or deny the each article of charge.

5. Sri Md. Khaleel, Assistant Engineer (PR), MPP Kosgi of Mahabubnagar District, now retired, is further informed that if he does not submit his written statement of defence on or before the date specified in Para-3 above, or does not appear in person before the inquiring authority or otherwise fails or refuse to comply with the provisions of Rule 20 of the APCS (CC&A) Rules, 1991 (Telangana Adaptation) Order, 2016 or the orders / directions issued in pursuance of the said rules, the inquiring authority may hold the inquiry against him ex-parte.

6. The receipt of the G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

S.P. SINGH

SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri Md. Khaleel, AE (PR), MPP Kosgi of Mahabubnagar District,
now retired, through the Engineer-in chief, PR, Hyderabad. [we].

The Engineer-in Chief, Panchayat Raj, Hyderabad.

(in duplicate with a request to serve and return the dated acknowledged).

Copy to:-

The General Administration (V&E) Department, BRK Bhavan, Hyderabad.

The Vigilance Commissioner, Telangana Vigilance Commission, Hyderabad.

SF/SC.

// FORWARDED BY :: ORDER //

SECTION OFFICER.

ANNEXURE-I

(Annexure to G.O.Rt.No.958, PR&RD (Vig.II) Department, Dated.25.11.2016)

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI MD. KHALEEL, AE (PR), MPP KOSGI OF MAHABUBNAGAR DISTRICT, NOW RETIRED.

CHARGE- I:

That Sri Md.Khaleel Ahmed, AE (PR) has committed certain irregularities of NREGS funds in execution of check dams in Kosgi Mandal of Kodangal Assembly constituency of Mahabubnagar District. He failed to check measure properly in Construction of Check Dam at Mungimalla work ID No.142000311009010117.

BASIS:

The V&E vide Note No. 71 (C.No.524/ V&E/E.2/2010),dated:02.09.2015 have stated that PD, DWMA, Mahabubnagar has sanctioned (62) Nos of check dams in 18 Gram Panchayaths of Kosgi (M) with an total estimate cost of Rs.105.32 lakhs out of which the V&E Department officials have inspected the (12) check dams randomly on 24.11.2011 out of which the following check dam work is one.

In Construction of Check Dam at Mungimalla work ID No.142000311009010117 physical measurements of body wall, Abutments and Retaining wall were taken and compared with the recorded measurements in M.Book and found CC (1:3:6) was not executed below ground level as recorded in M.Book and observed deficiency in CC (1:4:8) below ground level and CC (1:3:6) above Ground level. Therefore, the recovery towards not executed quantities for the mentioned levels is worked out Rs.71,977/-. On verification of M Book it is found that the Technical Assistant who has recorded the measurements without Date have been check measured by him without date. The work was not executed as per approved drawing shown in the Technical sanctioned Estimate. Therefore, due to deficiency of 45.69% the recovery was proposed for an amount of Rs.71,977/- out of total value of work done is Rs.1,57,524/-

Thus, Sri Md.Khaleel Ahmed, AE (PR) has failed to discharge his legitimate duties properly. Thus his action is in violation of Rule (3) of APCS (Conduct) rules, 1964 (Telangana Adaptation Order) 2016.

Hence the charge.

CHARGE- II:

That Sri Md.Khaleel Ahmed, AE (PR) has committed certain irregularities of NREGS funds in execution of check dams in Kosgi Mandal of Kodangal Assembly constituency of Mahabubnagar District. He failed to check measure properly in Construction of Check Dam at Pothireddy Pally work ID No.142000310029010300.

BASIS:

The V&E vide Note No. 71 (C.No.524/ V&E/E.2/2010),dated:02.09.2015 have stated that PD, DWMA, Mahabubnagar has sanctioned (62) Nos of check dams in 18 Gram Panchayaths of Kosgi (M) with an total estimate cost of Rs.105.32 lakhs out of which the V&E Department officials have inspected the (12) check dams randomly on 24.11.2011 out of which the following checkdam work in one.

In Construction of Check Dam at Pothireddy Pally work ID No.142000310029010300 physical measurements of body wall, Abutments and Retaining wall were taken and compared with the recorded measurements in M.Book and found CC (1:4:8) and CC (1:3:6) were not executed below ground level and deficiency observed in CC (1:3:6) of body was above ground level and R.R Masonry of Abutments above ground level. Rough Stone dry packing was not executed for apron as recorded in M.Book. Therefore, the recovery towards not executed quantities and Rough Stone Dry Packing over apron and deficient quantity of CC (1:3:6) and R.R.Masonry above ground level is worked out to Rs.1,23,363/-. The estimate was not technically sanctioned. On verification of M Book it is found that the Technical Assistant has recorded the measurements without Date and the AE PR has check measured earth work on 03.01.2010 but as per the work done report the earth work was executed from 04.01.2010 to 09.01.2010. The work was not executed as per approved drawing shown in the Technical sanctioned Estimate. In original estimate for construction of Abutments CC(1:3:6) is provided but during execution and also as per M.Book Abutments were constructed with R.R.Masonry but payment was made for CC(1:3:6) instead of R.R.Masonry. The work was executed and completed without technical sanction by competent authority. Therefore, due to deficiency of 64.14% the recovery was proposed for an amount of Rs.1,23,363/- out of total value of work done is Rs.1,92,304/-

(PTO)

Thus, Sri Md.Khaleel Ahmed, AE (PR) has failed to discharge his legitimate duties properly. Thus his action is in violation of Rule (3) of APCS (Conduct) rules, 1964 (Telangana Adaptation Order) 2016.

Hence the charge.

CHARGE- III:

That Sri Md.Khaleel Ahmed, AE (PR) has committed certain irregularities of NREGS funds in execution of check dams in Kosgi Mandal of Kodangal Assembly constituency of Mahabubnagar District. He failed to check measure in proper way in Construction of Check Dam at Pothireddy Pally work ID No.142000310029010306.

BASIS:

The V&E vide Note No. 71 (C.No.524/ V&E/E.2/2010),dated:02.09.2015 have stated that PD, DWMA, Mahabubnagar has sanctioned (62) Nos of check dams in 18 Gram Panchayaths of Kosgi (M) with an total estimate cost of Rs.105.32 lakhs out of which the V&E Department officials have inspected the (12) check dams randomly on 24.11.2011 out of which the following checkdam work in one.

In Construction of Check Dam at Pothireddy Pally work ID No.142000310029010306 physical measurements of body wall, Abutments and Retaining wall were taken and compared with the recorded measurements in M.Book and found CC (1:3:6) was not executed below ground level and observed deficiency in CC (1:4:8) below ground level and CC (1:3:6) above Ground level. Therefore, the recovery towards not executed quantities for the mentioned levels is worked out Rs.74,742/-. On verification of M Book it is found that the Technical Assistant has recorded the measurements without Date and the AE PR has check measured the same without date. The work was not executed as per approved drawing shown in the Technical sanctioned Estimate. Therefore, due to deficiency of 48.05% the recovery was proposed for an amount of Rs.74,742/- out of total value of work done is Rs.1,55,550/-

Thus, Sri Md.Khaleel Ahmed, AE (PR) has failed to discharge his legitimate duties properly. Thus his action is in violation of Rule (3) of APCS (Conduct) rules, 1964 (Telangana Adaptation Order) 2016.

Hence the charge.

CHARGE- IV:

That Sri Md.Khaleel Ahmed, AE (PR) has committed certain irregularities of NREGS funds in execution of check dams in Kosgi Mandal of Kodangal Assembly constituency of Mahabubnagar District. He failed to check measure in proper way in Construction of Check Dam at Pothireddy Pally work ID No.142000310029010299.

BASIS:

The V&E vide Note No. 71(C.No.524/V&E/E.2/2010) Dt.02.09.15 have stated that PD, DWMA, Mahabubnagar has sanctioned (62) Nos of check dams in 18 Gram Panchayaths of Kosgi (M) with an total estimate cost of Rs.105.32 lakhs out of which the V&E Department officials have inspected the (12) check dams randomly on 24.11.2011 out of which the following checkdam work in one.

In Construction of Check Dam at Pothireddy Pally work ID No.142000310029010299 physical measurements of body wall, Abutments and Retaining wall were taken and compared with the recorded measurements in M.Book and found CC (1:3:6) was not executed below ground level for body wall, Abutments and Retaining wall and CC (1:4:8) below ground level was not executed for Abutment and Retaining wall and deficiency is observed in CC (1:4:8) below ground level of body wall and CC (1:3:6) above ground level of body wall and Abutment. Measurements were recovered without date and the recovery towards not executed quantity/ deficiency quantity of CC is worked out to Rs.85,826/-. The earth work was recorded in two pages. But the AE PR has check measured in page no.2 only for 33.21 cum. Quantity. But payment was made for 78.00 cum. On verification of M Book it is found that the Technical Assistant has recorded the measurements without Date and the AE PR has check measured earth work on 03.01.2010 but as per the work done report the earth work was executed from 04.01.2010 to 09.01.2010. Thus he has check measured well before of starting of execution of work. The work was not executed as per approved drawing shown in the Technical sanctioned Estimate. Therefore, due to deficiency of 52.09% the recovery was proposed for an amount of Rs.85,826/- out of total value of work done is Rs.1,64,749/-

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Thus, Sri Md.Khaleel Ahmed, AE (PR) has failed to discharge his legitimate duties properly. Thus his action is in violation of Rule (3) of APCS (Conduct) rules, 1964 (Telangana Adaptation Order) 2016.

Hence the charge.

CHARGE- V:

That Sri Md.Khaleel Ahmed, AE (PR) has committed certain irregularities of NREGS funds in execution of check dams in Kosgi Mandal of Kodangal Assembly constituency of Mahabubnagar District. He failed to check measure in Construction of Check Dam at Kadampally work ID No.142000317015010221.

BASIS:

The V&E vide Note No. 71 (C.No.524/ V&E/E.2/2010),dated:02.09.2015 have stated that PD, DWMA, Mahabubnagar has sanctioned (62) Nos of check dams in 18 Gram Panchayaths of Kosgi (M) with an total estimate cost of Rs.105.32 lakhs out of which the V&E Department officials have inspected the (12) check dams randomly on 24.11.2011 out of which the following checkdam work in one.

In Construction of Check Dam at Kadampally work ID No.142000317015010221 physical measurements of body wall, Abutments and Retaining wall were taken and compared with the recorded measurements in M.Book and observed deficiency in CC (1:4:8), R.R.Masonry and CC (1:2:4) was not executed over apron and body wall. The Recovery towards non-executed quantity/deficient quantity of CC and R.R.Mansonry is worked out to Rs.66,698/-. On verification of M Book it is found that the Technical Assistant has recorded the measurements without Date and the AE PR has check measured earth work on 20.12.2009 but as per the payment order report earth work was executed from 25.01.2010 to 30.01.2010. Thus he check measured well before of starting of execution of work. The work was executed and completed without technical sanction by competent authority. The work was not executed as per approved drawing shown in the Technical sanctioned Estimate. Therefore, due to deficiency of 33.41% the recovery was proposed for an amount of Rs.66,698/- out of total value of work done is Rs.1,99,645/-

Thus, Sri Md.Khaleel Ahmed, AE (PR) has failed to discharge his legitimate duties properly. Thus his action is in violation of Rule (3) of APCS (Conduct) rules, 1964 (Telangana Adaptation Order) 2016.

Hence the charge.

S.P. SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT

SECTION OFFICER.

ANNEXURE-II

(Annexure to G.O.Rt.No.958, PR&RD (Vig.II) Department, Dated.25.11.2016)

LIST OF DOCUMENTS BY WHICH ARTICLE OF CHARGES ARE PROPOSED AGAINST SRI MD. KHALEEL, AE (PR), MPP KOSGI OF MAHABUBNAGAR DISTRICT, NOW RETIRED, ARE PROPOSED TO BE SUSTAINED.

Vigilance Report No.71 (C.No.524/V&E/E.2/2010), Dated:02.09.2015 of the General Administration (V&E) Department.

**S.P. SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

SECTION OFFICER.

ANNEXURE-III

(Annexure to G.O.Rt.No.958, PR&RD (Vig.II) Department, Dated.25.11.2016)

LIST OF WITNESSES BY WHOM ARTICLE OF CHARGES ARE PROPOSED AGAINST SRI MD. KHALEEL, AE (PR), MPP KOSGI OF MAHABUBNAGAR DISTRICT, NOW RETIRED, NOW RETIRED ARE PROPOSED TO BE SUSTAINED.

- Nil -

**S.P. SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

SECTION OFFICER.